

REMARKS

This Amendment is being filed in response to the Office Action mailed August 8, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

In the Office Action, claims 1, 3-8 and 10-12 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,732,061 (Kirino). Claims 13-15, 17-19, 21-23 and 25 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2001/0043540 (Tieke). Further, claims 16, 20 and 24 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable Tieke in view of Kirino. It is respectfully submitted that claims 1, 3-8 and 10-25 are patentable over Kirino and Tieke for at least the following reasons.

Kirino shows in FIG 18 a sequence of pulse while Tieke shows in FIGS 1A-1B and 2A-2B further sequences of pulses. As clearly shown in these figures, such sequences of pulses in Kirino and

Tieke do not include "a write power level which continuously increases as a ramp function," as recited in independent claims 5, 10, 13, 17 and 21. Instead of a continuous increase in power level as a ramp function, any power increase in Kirino and Tieke is in steps.

It is respectfully submitted that a stepwise increase does not teach or suggest "a write power level which continuously increases as a ramp function," as recited in independent claims 5, 10, 13, 17 and 21.

Further, Tieke is merely concerned about recording and completely silent about any erasing or any erase power levels. While Kirino discusses erasing, Kirino is completely silent about the particular relationships among the erase power level and various write power levels as recited in independent claims 1, 4, 7 and 8.

In particular, Kirino and Tieke, alone or in combination, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 4, 7 and 8 which, amongst other patentable elements, requires (illustrative emphasis provided):

wherein the erase power level is higher than a first write power level of the first write pulse and is lower than an n-th write power level in a last portion of the write pulses, wherein the n-th power level is immediately followed by a further write power level, the further write power level being lower than the erase power level, and

wherein there is no decrease in a power level between the first write power level and the n-th write power level.

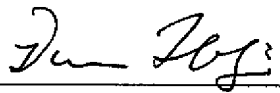
With consideration to all the arguments made above, it is respectfully submitted that independent claims 1, 4-5, 7-8, 10, 13, 17 and 21 should be allowable.

In addition, claims 3, 6, 11-12, 14-16, 18-20 and 22-25 should be allowable at least based on their dependence from independent claims 1, 5, 10, 13, 17 and 21.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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